

The movants seek permissive intervention pursuant to Federal Rule of Civil Procedure 24(b) which provides in pertinent part that “[o]n timely motion, the court may permit anyone to intervene who . . . has a claim or defense that shares with the main action a common question of law or fact. Fed.R.Civ.P. 24(b). “Permissive intervention, as the term implies, is not automatic, but rather left to the sound discretion of the court.” *Bassett Seamless Guttering, Inc. v. GutterGuard, LLC*, No.


1:05CV00184, 2007 WL 2079718 at \*2 (M.D.N.C. July 13, 2007) citing Virginia v. Westinghouse Elec. Corp., 542 F.2d 214, 216 (4th Cir.1976). When determining whether intervention is appropriate, “the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.” Id. quoting Fed.R.Civ.P. 24(b).

In this action, the movants’ motions appear timely and assert claims which share common questions of law and fact with the main action. Furthermore, Plaintiff has filed a response in support of the motions to intervene which states that “Pelyn Trust, further concedes that the intervention of Smith, Crump and PPS Trust will accommodate judicial economy and will not prejudice either the Plaintiff or the Defendants if intervention is timely granted.” (Document No. 13 at 2). As stated above, Defendants have failed to respond to the motions to intervene.

Based on the foregoing, and without expressing any opinion on the merits of the claim, the undersigned finds that motions should be granted pursuant to Fed.R.Civ.P. 24(b).

**IT IS, THEREFORE, ORDERED** that the “Motion To Intervene Of National Nursing Review PPS Trust And Christopher M. Smith” (Document No. 5) and the “Motion To Intervene Of Vernon Crump” (Document No. 6) are **GRANTED**.

Signed: August 13, 2008

  
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David C. Keesler  
United States Magistrate Judge

